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Resolution adopted by the General Assembly on 18 December 2013

[*on the report of the Third Committee (A/68/457)*]

68/188. The rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law,

Reaffirming also its commitments contained in resolution 55/2 of 8 September 2000, entitled "United Nations Millennium Declaration", and resolution 65/1 of 22 September 2010, entitled "Keeping the promise: united to achieve the Millennium Development Goals",

Reaffirming further the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels,[1]

Noting the report on the General Assembly thematic debate on drugs and crime as a threat to development,[2] held in New York on 26 June 2012,

Taking note of the report of the Secretary-General entitled "Accelerating progress towards the Millennium Development Goals: options for sustained and inclusive growth and issues for advancing the United Nations development agenda beyond 2015"[3] and the report of the United Nations system task team on the post-2015 United Nations development agenda entitled "Realizing the future we want for all",

Reiterating that the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law,

Reiterating also that transnational crime must be addressed in full respect for the principle of the sovereignty of States and in accordance with the rule of law as

[1] Resolution 67/1.

[2] Available on the website of the President of the General Assembly at its sixty-sixth session.

[3] A/67/257.

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part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socioeconomic conditions and, in that regard, stressing again the importance of encouraging Member States to develop, as appropriate, comprehensive crime prevention policies based on an understanding of the multiple factors that contribute to crime and to address such factors in a holistic manner, while emphasizing that crime prevention should be an integral element of strategies to foster social and economic development in all States,

Recalling its resolution 67/189 of 20 December 2012, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity", and its resolution 67/186 of 20 December 2012, entitled "Strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking",

Recalling also the resolution of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the recommendations of the Congress on its four substantive topics, including the topic "International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme",[4] as endorsed by the General Assembly in its resolution 50/145 of 21 December 1995, as well as the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in 2000, and endorsed by the Assembly in its resolution 55/59 of 4 December 2000, and the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice, adopted by the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, in 2005, and endorsed by the Assembly in its resolution 60/177 of 16 December 2005,

Recalling further the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[5] in which Member States, inter alia, recognized the centrality of crime prevention and the criminal justice system to the rule of law and that long-term, sustainable economic and social development and the establishment of a functioning, efficient, effective and humane criminal justice system have a positive influence on each other,

Mindful of Economic and Social Council resolutions 2004/25 of 21 July 2004, 2005/21 of 22 July 2005 and 2006/25 of 27 July 2006 on strengthening the rule of law and the reform of criminal justice institutions, as well as the assistance activities of the United Nations crime prevention and criminal justice programme in that area, including in post-conflict reconstruction,

Acknowledging that the United Nations standards and norms in crime prevention and criminal justice are important tools for establishing fair and effective criminal justice systems that are enshrined in the rule of law and that their use and application in the provision of technical assistance should be enhanced, as appropriate,

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[4] See A/CONF.169/16/Rev.1, chap. I, resolution 1, sect. I.

[5] Resolution 65/230, annex.

Stressing the importance of a well-functioning, efficient, fair, effective and humane criminal justice system as the basis for a successful strategy against transnational organized crime, corruption, terrorism, drug trafficking and other forms of trafficking,

Bearing in mind that the rule of law includes fostering respect for a rule of law culture and the legislative, executive and judicial institutions needed to make and administer effective laws, and fostering trust and confidence that law-making will be responsive to the concerns and needs of the population and that the administration of law will be just, efficient and transparent,

Recognizing the importance of ensuring that women, on the basis of equality of men and women, fully enjoy the benefits of the rule of law, and committed to using law to uphold their equal rights and ensure their full and equal participation,

Concerned by urban crime, acknowledging the need for stronger coordination between security and social policies, with a view to addressing the root causes of urban crime, and recognizing the direct relevance of urban safety as a prerequisite to sustainable urban development and the attainment of the Millennium Development Goals,

Acknowledging the call of mayors and other stakeholders at the sixth session of the World Urban Forum, held in Naples, Italy, in September 2012, as part of the Global Network of Safer Cities, for intensified efforts to strengthen the integrity of the safer cities approach by means of international cooperation and United Nations system-wide guidelines on safer cities and financing mechanisms for safer cities,

Noting the work of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda, and in particular the importance given to the rule of law and access to justice, as well as the focus on data availability and better accountability in measuring progress, as expressed by the Panel at its meeting in Nusa Dua, Bali, Indonesia, from 25 to 27 March 2013,

Noting with appreciation the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking as threats to security and stability for the purpose of developing within the United Nations system an effective and comprehensive approach to transnational organized crime and drug trafficking, and reaffirming the crucial role of Member States as reflected in the Charter,

Noting the strategic priorities for the period 2013–2016 of the United Nations Development Group,

Stressing the importance of the rule of law, both nationally and internationally, as an essential element in addressing and preventing organized crime and corruption, and noting that the rule of law requires strong and efficient justice sector coordination, as well as coordination with other United Nations offices and activities,

Convinced that the rule of law and development are strongly interrelated and mutually reinforcing and that crime prevention and criminal justice elements that support the rule of law should therefore be considered in implementing the post-2015 international development agenda,

1. *Recognizes* the cross-cutting nature of the rule of law, crime prevention and criminal justice and development, and recommends that such linkages and interrelationships be properly addressed and further elaborated;

2. *Notes with appreciation* the decision to hold a special event at the sixty-eighth session of the General Assembly to follow up on efforts made towards achieving the Millennium Development Goals and to deliberate on the post-2015 development agenda;

3. *Underscores* that the post-2015 development agenda should be guided by respect for and promotion of the rule of law, and that crime prevention and criminal justice have an important role in that regard;

4. *Stresses* the need for a comprehensive approach and further involvement of the States members of the Commission on Crime Prevention and Criminal Justice in the discussion leading to the formation of the post-2015 United Nations development agenda, in close coordination with the Economic and Social Council and other United Nations bodies and entities, fully taking into account the focus areas of the Millennium Development Goals;

5. *Emphasizes* that special attention should be placed on channelling the work of the Commission, where appropriate, into the discussions on the post-2015 United Nations development agenda, in close consultation with other stakeholders;

6. *Notes* that the main theme of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Qatar in 2015, is "Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation", and looks forward to fruitful discussions at the regional preparatory meetings on that subject;

7. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to assist Member States in improving systems for collecting and analysing data on crime prevention and criminal justice at all levels, where necessary, including gender-specific data, in order to promote the rule of law, crime prevention and criminal justice in the post-2015 development agenda;

8. *Also welcomes* the efforts of the Secretary-General towards stronger coordination and integration of rule of law assistance, through the specialized and relevant international organizations, in order to enhance predictability, coherence, accountability and effectiveness in delivery of the rule of law at the national and international levels, and encourages further participation by the United Nations Office on Drugs and Crime in such arrangements, in particular, with regard to police, justice and corrections;

9. *Urges* Member States providing development assistance, in particular to countries emerging from conflict, to increase their assistance in the areas of crime prevention and criminal justice, and recommends that such assistance could, upon request, include elements relating to strengthening the rule of law;

10. *Stresses* the importance of a comprehensive approach to transitional justice, incorporating the full range of judicial and non-judicial measures to ensure accountability and promote reconciliation while protecting the rights of victims of crime and of abuse of power, highlighting in particular the work of the United Nations Office on Drugs and Crime in supporting criminal justice reforms and strengthening the rule of law at the national and international levels in that context;

11. *Also stresses* that institutions of governance and the judicial system should be gender-sensitive and that the full participation of women needs to be promoted;

12. *Requests* the United Nations Office on Drugs and Crime to provide substantive contributions to the United Nations Human Settlements Programme (UN-Habitat) with regard to efforts to complement the development of United Nations guidelines on safer cities, taking into consideration the Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention[6] and the Guidelines for the Prevention of Crime,[7] and to regularly inform Member States of the progress made in that regard, with a view to receiving comments;

13. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to continue to include in their work programmes the issue of the rule of law, as well as to consider exploring the challenges posed to the rule of law and development and to develop appropriate training material;

14. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

15. *Requests* the Secretary-General to submit to the General Assembly at its sixty-ninth session a report on the implementation of the present resolution.

70th plenary meeting
18 December 2013

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[6] Economic and Social Council resolution 1995/9, annex.

[7] Economic and Social Council resolution 2002/13, annex.